

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO  
CLASS 1 SETTLEMENT (BMS)

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)  
) Civil Action No. 01-CV-12257 PBS  
)  
) Judge Patti B. Saris  
) Chief Magistrate Judge Marianne B.  
) Bowler

**ASSENTED TO MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO  
PLAINTIFFS' MOTION FOR ORDER TO PRELIMINARILY APPROVE PROPOSED  
PLAN FOR DISTRIBUTION FOR BMS CLASS 1 SETTLEMENT**

The defendant, Bristol-Myers Squibb Company ("BMS") hereby requests that the September 8, 2008 filing deadline for a response to Plaintiffs' Motion for Order to Preliminarily Approve Proposed Plan for Distribution for BMS Class 1 Settlement be extended to September 22, 2008. As support for this motion, Defendant BMS cites the holiday weekend and a previously scheduled vacation. On August 29, 2008, lead class counsel for Plaintiffs gave consent to the extension of time requested herein.

Wherefore, BMS, respectfully requests a two-week extension of time, until September 22, 2008, in which to file its response to Plaintiff's Motion.

Dated: Boston, Massachusetts  
September 2, 2008

Respectfully submitted,

By: /s/ Jennifer M. Ryan

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Thomas E. Dwyer (BBO No. 139660)  
Jennifer M. Ryan (BBO No. 661498)

**DWYER & COLLORA, LLP**

600 Atlantic Avenue

Boston, MA 02210

Tel: (617) 371-1000

Fax: (617) 371-1037

[tdwyer@dwyercollora.com](mailto:tdwyer@dwyercollora.com)

[jryan@dwyercollora.com](mailto:jryan@dwyercollora.com)

Steven M. Edwards (SE 2773)  
Lyndon M. Tretter ((LT 4031)  
Admitted *pro hac vice*  
**HOGAN & HARTSON LLP**  
875 Third Avenue  
New York, NY 10022  
Tel: (212) 918- 3640

*Attorneys for Defendants Bristol-Myers Squibb  
Company and Oncology Therapeutics Network  
Corp.*

### **CERTIFICATE OF SERVICE**

I certify that on September 2, 2008 a true and correct copy of this document was served on all counsel of record by electronic service pursuant to paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis file & serve for posting and notification to all parties.

/s/ Jennifer M. Ryan

Jennifer M. Ryan